Saint Paul Planning Commission City Hall Conference Center 15 Kellogg Boulevard West

Minutes May 22, 2009

A meeting of the Planning Commission of the City of Saint Paul was held Friday, May 22, 2009, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Mmes. Donnelly-Cohen, Faricy, Lu, Morton, Porter, Smitten, Thao, Wencl; and

Present: Messrs. Alton, Barrera, Goodlow, Gordon, Johnson, Kramer, Schertler,

Spaulding, and Ward.

Commissioners

Absent:

Messrs. *Bellus, *Commers, *Margulies, and *Nelson.

*Excused

Also Present: Donna Drummond, Planning Administrator; Wendy Lane, Department of Safety

and Inspections, Marcia Moermond, Office of City Council, Amy Filice, Allan Torstenson, Lucy Thompson, Penelope Simison, Merritt Clapp-Smith, Luis Pereira, Jessica Rosenfeld, Christina Morrison, Josh Williams, and Sonja Butler,

Department of Planning and Economic Development staff.

I. Approval of minutes May 8, 2009.

MOTION: Commissioner Johnson moved approval of the minutes of May 8, 2009. Commissioner Kramer seconded the motion. The motion carried unanimously on a voice vote.

II. Chair's Announcements

Chair Alton announced that Commissioner Barrera has news to share. Commissioner Barrera said that his wife delivered a baby girl named Florence Amalia, born on April 24, 2009 and they both are doing great.

Chair Alton also mentioned that the committee assignment sheet was enclosed in the packets, and to please take a look at it. There were only a few changes made.

III. Planning Administrator's Announcements

Donna Drummond made several announcements. The City was awarded an EPA Grant of \$1 million for a Central Corridor community-wide environmental assessment. This will pave the way for redevelopment in the Central Corridor for the future. On May 13th the City Council approved a resolution authorizing the City to enter into a joint powers agreement for the Interstate 94 Corridor, joining with Washington and Ramsey Counties to look at possible LRT, BRT, or commuter rail in the corridor. Also on May 13th the HRA approved a \$400,000 forgivable loan for Cray Incorporated, as an incentive to move into Galtier Plaza. This would bring 200 jobs to downtown with an average wage of \$100,000 per employee. No lease has been signed as of yet.

On May 20th the City Council approved a resolution requesting the Planning Commission to undertake a study and prepare a report evaluating possible amendments to the city's zoning code that will permit and regulate public art murals in the city. More information on the specifics will be announced later.

Also on May 20th there was approval of a City Council resolution authorizing an agreement between the City and Metropolitan Council to start some of the advanced utility construction on 4th Street, in downtown between Minnesota and Broadway, which starts to prepare for the Central Corridor LRT project.

IV. PUBLIC HEARINGS: <u>Status of Old Small Area Plans</u> - Item from the Comprehensive Planning Committee. (*Merritt Clapp-Smith*, 651/266-6547)

Chair Alton announced that the Saint Paul Planning Commission is holding a public hearing on the Status of Old Small Area Plans. Notice of the public hearing was published in the Legal Ledger on May 7, 2009, and was mailed to the citywide Early Notification System list and other interested parties.

Merritt Clapp-Smith, PED staff, said that she has been assisting with reviewing all of the small area plans that were adopted as addenda to the Comprehensive Plan prior to 1997. The city has been updating its entire comprehensive plan and the addenda plans that are older then 10 years. Staff reviewed plans over 10 years old to determine what action should be taken – whether they should be incorporated into a newer plan, amended, recertified, or decertified. Ms. Clapp-Smith distributed a color-coded table of the proposed actions on small area plans adopted prior to 1997. She explained the table and the process. Ms. Clapp-Smith said that so far all of the district councils support these proposals except for District 16 on the Summit Avenue Plan. She talked to Larry Soderholm, former Planning Administrator, who worked on the original Summit Avenue Plan and Amy Spong from the Historic Preservation staff about the plan. Mr. Soderholm said this small area plan has been implemented more thoroughly than any other small area plan he has worked on. The majority of the plan recommendations have been implemented, a few items have not and of those a number of them were out of date or the issue had changed and needs to be reevaluated. District 16 would rather the plan remain in place, but staff has concerns about the plan remaining in place, because it is so out of date and some of the policies would not be ones staff would recommend.

Commissioner Gordon, referring to the color-coded table, said that six of the seven orange color plans are recommended to be decertified, but the Selby Avenue SAP 1997 says "pull relevant policies and incorporate in D8 plan, then decertify when new D8 plan adopted." Why the difference and who decides what are the relevant policies?

Ms. Clapp-Smith said the other orange items, Districts 2, 4, 5, 8 and 9 are all district plans and they get decertified when the new district plan is adopted. The Historic Lowertown SAP will be replaced by the downtown station area plan with a new set of policies. For the Selby Avenue Plan, District 13: Union Park looked at it and said all of the policies at their end of the avenue have either been acted on or are not relevant anymore and they are fine with the plan being decertified. District 8: Summit-University looked at it and said there are still a couple of things that they think are important from this SAP, but because it's only a few they introduced those as

policy statements to the District 8 plan. The District 8 plan is moving forward with these items and will be going to City Council for potential adoption on May 27, 2009.

Penelope Simison spoke briefly on the changes to the table in items #5 Lower Daytons Bluff SAP 1990 and #7 East Consolidated SAP 1993.

Commissioner Schertler wanted to know from a planning level, do they still merit a stepped up effort to do a small area plan or are they really just maintenance?

Ms. Clapp-Smith said the small area plans are intended to be a higher level of detail that guides investment decisions. They are important for PED project managers, when investment decisions are made, and for federal HUD grants because they can reference these plans. An example is the Summit Avenue Plan -- in the early 1980s Summit Avenue was an area that had been undergoing decline and reinvestment and direction was needed. Looking back at that plan you can understand why it was there at that point in time. Now Summit has improved a lot, and there are many other policies in place that protect the avenue. So it's felt that the plan is no longer needed. Other areas looked at amending their plans, because discussions between staff and the community people determined that some level of guidance was still needed.

Ms. Clapp-Smith received several letters from a few district councils indicating their support for the actions. These letters were distributed to the Planning Commission.

Chair Alton read the rules of procedure for the public hearing.

The following people spoke.

1. Mr. Chuck Repke, 1961 Sherwood Avenue, Saint Paul, MN 55119. He warned that if deadlines for plan updates are established for the end of 2011, then the appointed staff must have time to follow through, instead of being assigned to do something else that is thought to be more important. He said that District plan updates, which the neighborhoods were pushed to do quickly, have then not been reviewed by City staff in a timely manner because staff have been assigned to do other things. Small area plan updates are a priority and if you ask staff to do other things between now and 2011 then the plan sunset dates have to be changed.

<u>MOTION</u>: Commissioner Donnelly-Cohen moved to close the public hearing, leave the record open for written testimony until 4:00 p.m. on Tuesday, May 26, 2009, and to refer the matter back to the Comprehensive Planning Committee for review and recommendation.

Commissioner Kramer seconded the motion. The motion carried unanimously on a voice vote.

<u>District 2 Plan Summary</u> – Item from the Neighborhood Planning Committee. (*Penelope Simison*, 651/266-6554)

Chair Alton announced that the Saint Paul Planning Commission is holding a public hearing on the District 2 Plan Summary. Notice of the public hearing was published in the Legal Ledger on May 4, 2009, and was mailed to the citywide Early Notification System list and other interested parties.

Penelope Simison, PED staff, said that the plan covers a wide range of issues. There are a large number of policies in the summary that have to do with improvements, such as streetscape improvements and Hayden Heights Library improvements. The plan also incorporates key policies from previously adopted small area plans. As with all district plan summaries, once adopted it becomes part of the Comprehensive Plan.

Chair Alton read the rules of procedure for the public hearing.

The following people spoke.

1. Mr. Chuck Repke, with the White Bear Avenue Business Association and District 2
Community Council presented banana bread to celebrate the District 2 Plan. The bread
was hand-made by the White Bear Avenue Queen Marina Jackson. Chair Alton thanked
her and Mr. Repke for the bread. Mr. Repke also wanted to mention one significant
concern about the plan. He noted the lack of recreation centers in the northeast quadrant
of District 2 and commented on the Prosperity Heights Recreation Center. The recreation
building is closing and as of today's date there is finding recommended by the CIB
Committee for the planning of a new recreation center. This plan summary, based on
input from the Parks department, does not mention the recreation center. District 2's
issue of concern is there should be some language recommending that a facility be kept
on that site. The City needs to be committed to having a building on that site.

<u>MOTION</u>: Commissioner Wencl moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Tuesday, May 26, 2009, and to refer the matter back to the Neighborhood Planning Committee for review and recommendation. Commissioner Johnson seconded the motion. The motion carried unanimously on a voice vote.

<u>Residential Design Standards Zoning Study</u> – Item from the Neighborhood Planning Committee. (*Luis Pereira*, 651/266-6591 and Allan Torstenson, 651/266-6579)

Chair Alton announced that the Saint Paul Planning Commission is holding a public hearing on the Residential Design Standards Zoning Study. Notice of the public hearing was published in the Legal Ledger on May 11, 2009.

Luis Pereira, PED staff, said that the citywide Early Notification System notice was not mailed out in the 30 days prior to the public hearing, so today is the beginning of the public hearing and it will continue to the next Planning Commission meeting.

Luis Pereira gave a power point presentation on the proposed Residential Design Standards. He presented information on the background of the proposed amendments, the City website and a blog that has been created for comments on the infill design standards: http://www.stpaul.gov/index.asp?NID-3000 and http://stpaulhousedesign.wordpress.com

Commissioner Gordon said that it would be helpful to provide more specifics about the intent behind what would be unique, practical and reasonable, and to give some examples so people would have some idea of what the standards are.

Commissioner Barrera said that he did not see or hear anything in relation to sustainability, architectural design and energy efficiency. He asked whether these issues have been looked at to

see how it would affect the requirements.

Mr. Pereira said that other portions of the City's codes address these issues, including the building and housing codes, which have recently been updated. Also, there is the City's green policy, currently under development, and some of that deals with sustainability for residential construction.

Mr. Pereira said the required percentage of window area is below the required amount of windows to meet building and energy codes. Getting some architects and designers to look at this and identify issues where the zoning code conflicts with the building and energy codes would be helpful.

Commissioner Porter said she agrees with what Commissioner Barrera said and her question has to do with energy. If someone says there is an issue with the energy code, regarding how many windows are being put in, is there an attempt to balance that or incorporate some of that language in?

Ms. Wendy Lane, Department of Safety and Inspections staff, answered a questions about conflicts with the building code. Ms. Lane said that there should not be any conflicts between the recommended zoning standards and the building code. One of the things talked about was having required minimum windows on the side facades of a building. But that was a concern because the required setback for the side property line for fire rating changed in the newest version of the building code. Instead, staff looked at the overall percentage of windows and there isn't any conflict in the building code about that.

Commissioner Ward asked about infill houses. As new houses go in are there any stipulations or requirements as to landscaping and type of vegetation that needs to be on site to prevent erosion and continue greening in the neighborhood? Are there any plans to include a section on landscaping and the percentage or type of vegetation on a new construction infill site?

Mr. Pereira said there was discussion of this in a memo to the Neighborhood Committee. There are some other areas in the zoning code that discuss landscaping and staff did not recommend adding new language to what is there already. It is not a part of the recommended amendments.

Commissioner Schertler said that when someone is making this type of investment, single-family new home construction in a single family residential area there is a high level of anxiety associated with that. There will be some give and take in the site plan review process; it is a negotiated investment into a community. This is not black and white, so there must be a recognition that this is going to take time and this is going to cost money.

Chair Alton read the rules of procedure for the public hearing.

The following people spoke.

1. Mr. Bob Roscoe, 1401 E. River Parkway, Mpls. MN 55414. He has a residential design practice and has been involved in residential design in Minneapolis and Saint Paul for over 36 years. Mr. Roscoe said what works with these proposed requirements is that they do not impose extra construction cost to the average design of a new residential property and do not promote conformity. On the other hand it allows variety within a graceful

framework. The urban character of Saint Paul is such that garages on side fronts of houses should be prohibited. Regarding the side entry of a house, he thinks the requirements need to be more specific. There should be a structural element on the side of the house that gives some indication of where the primary entrance is. The primary entrance should have a distinctive feature.

Mr. Roscoe noted that porches and accessibility have not been addressed. He commented on section B (a) saying that it needs to be greatly expanded. The language becomes critical, because on one hand you want to be somewhat general but yet you need to be clear. He agrees with Commissioner Schertler's comment about training staff, which is really important. Also staff needs to make sure these definitions are really clear.

<u>MOTION</u>: Commissioner Wencl moved to continue the public hearing to Friday, June 5, 2009, leave the record open for written testimony, and then refer the matter back to the Neighborhood Planning Committee for review and recommendation. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

V. Zoning Committee

NEW BUSINESS

#09-060-431 Theodore and Elaine Kvasnick – Rezoning from B2 Community Business to TN2 Traditional Neighborhood. 2038 Marshall Avenue between Cleveland and Wilder. (Josh Williams, 651/266-6659)

<u>MOTION</u>: Commissioner Morton moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimously on a voice vote.

Commissioner Morton announced that the next meeting will be on May 28, 2009 and the agenda.

VI. Comprehensive Planning Committee

<u>Central Corridor</u> – Initiate Station Area Planning For Hamline, Victoria, and Western. (*Christina Morrison*, 651/266-6546 and Jessica Rosenfeld, 651/266-6560)

<u>MOTION</u>: Commissioner Barrera moved the Comprehensive Planning Committee's recommendation to approve the initiation of station area planning for Hamline, Victoria and Western stations. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

<u>Off-Street Parking Requirements</u> – Recommendation to initiate a study. (*Merritt Clapp-Smith*, 651-266-6547)

<u>MOTION</u>: Commissioner Wencl moved the Comprehensive Planning Committee's recommendation to approve the resolution to initiate an off street parking requirements study. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

VII.	Neighborhood Planning Committee

<u>Bicycle Parking Zoning Code Amendments</u> – Recommendation to initiate a study. (*Kate Reilly*, 651/266-6618)

MOTION: Commissioner Wencl moved the Neighborhood Planning Committee's

	recommendation to approve the resolution to amendment. Commissioner Gordon seconde on a voice vote.	allow staff time to study a bicycle parking ad the motion. The motion carried unanimously
VIII.	Communications Committee	
	Commissioner Smitten had no report.	
IX.	Task Force Reports	
	No report.	
Х.	Old Business	
	None	
XI.	New Business	
	None	
XII.	Adjournment	
	Meeting adjourned at 10:03 a.m.	
Sonja Planni	ded and prepared by Butler, Planning Commission Secretary ng and Economic Development Department, f Saint Paul	
Respectfully submitted,		Approved(Date)
Donna Drummond Planning Administrator		Marilyn Porter Secretary of the Planning Commission

Butler\planning commission\May 22, 2009